THE STATE BAR OF CALIFORNIA
TRUSTS & ESTATES LAW SECTION PRESENTS

Earn 6.0 Hours of MCLE & Legal Specialization Credits

TRUSTS & ESTATES LAW SECTION

2015 SPRING SYMPOSIUM

MAY 15, 2015

The Westin South Coast Plaza
686 Anton Boulevard
Costa Mesa, CA 92626
(714) 540-2500

Register Online: trustslaw.calbar.ca.gov

PROGRAM SCHEDULE

8:00 A.M.

REGISTRATION OPENS

8:25 A.M.

OPENING REMARKS

8:30 A.M. – 10:00 A.M.

10 TRAPS FOR THE UNWARY SPECIAL NEEDS TRUST PLANNER (1.5 Hrs.)

Speakers: Carol Battaglia, Esq., San Diego
Mary L. Waltari, Esq., San Diego

Do you have concerns about planning for individuals with disabilities? This program will provide estate planning attorneys with the skills to recognize situations where special needs planning is required and specific tips on how to prepare effective special needs plans. It will cover the different types of public benefits, whether a first party or third party special needs trust is needed, who can establish the trust and the most effective distribution standards. You will also learn about issues such as how to handle small gifts or inheritances and how to modify existing trusts to create special needs trusts.

10:00 A.M. – 10:20 A.M.

BREAK

10:20 A.M. – 10:30 A.M.

MEMBERSHIP BENEFITS PRESENTATION

10:30 A.M. – 12:00 P.M.

CALIFORNIA'S NEW STATUTORY DEFINITION OF UNDUE INFLUENCE (1.5 Hrs.)

SPEAKER: Howard L. Horwitz, Esq., Beverly Hills

In 2014, California adopted a new statutory definition of undue influence that applies to certain, but not all, matters in which undue influence may be relevant. The program will address how the provisions of this recent enactment should be read together and in relation to existing law, particularly with respect to will and trust contests. The program will also address practical issues practitioners may expect to encounter in such cases.

12:00 P.M. – 1:00 P.M.

LUNCH

This will be a 1 hour lunch and does not include a presentation. Food will be provided.

1:00 P.M. – 1:10 P.M.

EDUCATING SENIORS PRESENTATION

1:15 P.M. – 2:45 P.M.

WHAT THE KWOK? HAS YOUR ESTATE PLAN KILLED YOUR CLIENT'S TITLE INSURANCE? (1.5 Hrs.)

SPEAKER: Patrick A. Kohlmann, Esq., San Jose

Estate planning attorneys routinely transfer real estate to living trusts during the planning process. What should attorneys be aware of when it comes to title insurance? How can attorneys protect themselves and their clients from unpleasant surprises when a title claim is tendered? Does *Kwok v. Transnation Title Ins. Co.* (2009) 170 Cal.App.4th 1562 apply to your clients? Mr. Kohlmann will address these and other important issues, identify traps for the unwary and discuss strategies for resolving problems.

2:45 P.M. – 3:00 P.M.

BREAK

3:00 P.M. – 4:30 P.M.

CHANGES IN PLANNING POST ATRA: PORTABILITY, BASIS ADJUSTMENT, AND OTHER ADVANCED PLANNING OPPORTUNITIES (1.5 Hrs.)

SPEAKERS: Silvio Reggiardo, III, Esq., Sacramento
Daniel Staszak, CPA, MS (Tax), Folsom

We went over the fiscal cliff in January 2013, but with a bungee cord. The American Taxpayer Relief Act (ATRA), which President Obama signed on January 2, 2013, made permanent (at least for now) structural changes in the transfer tax law, allowing exemption portability and providing generous exemptions indexed for inflation. That legislation increased income tax rates but left intact the income tax basis adjustments for most estate assets. Traditional valuation discount planning continues to be available, but many estates we would otherwise consider large will not be subject to estate tax. Valuation discounts can actually be detrimental in overall tax planning. This program will discuss estate planning after ATRA, with an emphasis on both exemption planning and the interplay of valuation discounts and income tax basis adjustments.

REGISTRATION INFORMATION

Cancellations/Refund Policy: Cancellations and requests for refunds must be received in writing no later than May 8, 2015 and are subject to a $25 service charge. Refunds will not be available after this date.

Questions: For registration information call (415) 538-2508. Telephone registrations will not be accepted. For program content and/or Section information call (415) 538-2206.

Special Assistance: For special assistance, please call (415) 538-2206.

Onsite: On-site registration will be on a space available basis. Call to confirm space availability.

INFORMATION ABOUT ETHICS GUIDE

Third Edition

"Guide to the California Rules of Professional Conduct for Estate Planning, Trust & Probate Counsel"

This Third Edition is offered by the Trusts and Estates Section of The State Bar of California to provide both general and fact-specific guidance to estates and trusts lawyers facing coming and unusual ethical issues and problems, with an emphasis on the application of California-specific rules. The updated Guide is an essential addition to the library of every California trust and estate lawyer.

$40.00 Discount for Trusts & Estates Section Members

Available for $85.00 at The State Bar of California Sections Bookstore

REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: ______________________________

Name: ______________________________

Firm: ______________________________

Firm Address: ______________________________

City, State: ______________________ Zip Code: __________

Phone Number: ______________ Fax Number: ______________

Email Address: ______________________________
(Required for email confirmation)

Program package includes 6.00 Hours MCLE Credit, program materials, continental breakfast, and lunch.

❑ Check here if you do not want your information released.

PRE-REGISTRATION FEES (check the appropriate circle)

O $275 Trusts and Estates Section Members

O $370 Non-Section Members
(includes enrollment in the Trusts and Estates Section for 2015)

** Onsite registration fees are $275 for Section Members and $370 for Non-Section Members

AMOUNT ENCLOSED OR TO BE CHARGED $__________

CREDIT CARD INFORMATION (VISA/MasterCard Only)

I authorize The State Bar of California to charge my program registration to my VISA/MasterCard account. (No other credit card will be accepted.)

Account Number: ______________________________
(VISA or MasterCard only)

Expiration Date: ______________________________

Cardholder's Name: ______________________________

Cardholder's Signature: ______________________________

Deadline: In order to pre-register, your form and check, payable to The State Bar of California, or credit card information, must be received by May 8, 2015.

Register Online: http://trustslaw.calbar.ca.gov

Mail To: Program Registrations, The State Bar of California, 180 Howard Street, San Francisco, CA 94105.

Fax To: Program Registration at 415-538-2368. In order to fax your registration, credit card information is MANDATORY. ***(Photocopies of checks will NOT be accepted.)***

The State Bar of California and the Trusts and Estates Section are approved State Bar of California MCLE providers.

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